


Oral and written statement English Original Language: Arabic May 5, 2016	Al Dameer Association for Human Rights Palestinian non-governmental organization	
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Oral and written statement submitted to:

UN. Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories since 1967

This presentation offers a number of indicators during the period January 1, 2015 until December 31, 2015, which reflect the lack of respect of the State of Israeli occupation for Human rights conventions and international humanitarian law in the oPt, particularly in the Gaza Strip, in this context, I present four major issues, represented by: indicators of human rights situation, especially in light of obstructing the work of reconstruction, Buffer zones on Land & Sea, The suffering of patients at Beit Hanoun crossing, and IOF's blocking the right to appropriate treatment and the right to freedom of travel, the suffering of the families of detainees in the Gaza Strip. With recommendations in order to ensure compliance of the State of Israel as an occupying Power with international legal and humanitarian obligations.

First; Introduction

1. About the situation of human rights and humanitarian situation in the Gaza Strip, it must be acknowledged that the roots of the current humanitarian tragedy extends beyond the imposition of a repeated scene of war and the blockade of the Gaza Strip and the repercussions of the ongoing Israeli violations of all kinds that followed the recent aggression on the Gaza Strip, which is up to the continued Israeli occupation of Palestinian territories, and the continuation of the international community deal with the state of occupation outside the framework of criminal accountability what reflects the abandonment of the international community of the ethical obligations towards the consolidation of human rights concepts as optimum value that link us to spread peace all over the world.
2. the Israeli occupation forces is an occupying power and that Palestinian land is an occupied territory, including the Gaza Strip. The Israeli military attack came in the summer of 2014 in the light of the continued siege imposed by Israel on the Gaza Strip since the outbreak of the Al-Aqsa Intifada after (the second intifada), and which was tightened in late September 2007.
3. The blockade is considered as collective punishment of the population which affect the overall human rights of its population and constitutes a violation of the rules of international law which prohibits collective punishment. The blockade caused the deterioration of basic services, especially health care services and affected hospitals and medical staff's ability to work in light of the lack of medicines and medical equipment, which escalated the suffering of the health sector during the recent military offensive in the Gaza Strip.
4. the Report of "emergency situation in the Gaza Strip-No.139", which was issued by the United Nations Relief and Works Agency for Palestine Refugees in the Near East "UNRWA", stating that in the conflict, about half a million people displaced to UNRWA schools, government schools, and to shelters or to families who were able to host displaced families, the majority of those displaced have left emergency shelters after the ceasefire in August 2014, but about 75 thousand people remained displaced so far.
5. IOF are still applying the policy of isolation of the border zone inside the Gaza Strip along the northern and eastern border "buffer zones" and shooting anyone who approaches them. In addition to the continuation of the naval blockade in spite of increasing of the allowed fishermen fishing sector for 6 nautical miles

of fishing area, and most recently for 09 nautical miles, along with repeated attacks on Palestinian fishermen, such as shooting and killing and wounding a number of them and also chasing and humiliating them, and the confiscation of their boats or dumping and destroying them.

6. during the year 2015, The facts on the ground indicate a continued blockade on the Gaza Strip in spite of the alleged Israeli statements on easing the blockade on the Gaza Strip, there was no structural change on the siege, The alleged facilities declared by the Israeli authorities did not affect the restrictions imposed on freedom of movement for individuals and goods. And it stresses that the goal of occupying authorities and its claims about easing the blockade on the Gaza Strip which actually aim to strengthen the siege imposed on the sector, and make it has an international approval, which means success in circumventing of the rules of international law, including international humanitarian law and international human rights law.

Second; Human Rights situation, especially in light of obstructing reconstruction work

A; The mechanism of entry of construction materials for the reconstruction of Gaza

7. Among the main demands of the victims and the people of Gaza is the need to re-consider the reconstruction of Gaza after the latest aggression on Gaza that causes more damages for the Palestinians contrary to fundamental human rights and humanitarian principles. The mechanism of reconstruction should be based on unconditional opening of Gaza crossings in order to allow the reconstruction of destroyed houses, hospitals, clinics, factories, workshops, schools, water facilities and sanitation and other locations destroyed in the Gaza Strip.
8. Based on what have been agreed upon from the Palestinian side, Serry mechanism is considered only a management of the blockade imposed on the Gaza Strip since June 2007, it is very far from achieving the goal of lifting the blockade on the Gaza Strip, which was a goal according to it, the last aggression was stopped, and it is also a goal which was stipulated by UN Security Council resolution 1860.
9. The mechanism is considered dangerous precedent, as it assigned the task of supervision and inspection to the United Nations bodies in favor of the Israeli side, where Israel required to impose a strict control mechanism on the use of

- building materials (cement and iron) which entered into the Gaza Strip for reconstruction and rebuilding what was destroyed through repeated attacks, under the pretext that such a mechanism is necessary to prevent the use of building materials to rebuild the tunnels which they destroyed during the war, so this mechanism will be implemented through the Israeli condition.
10. The process of selecting and prioritizing of the "beneficiaries" is determined directly by the Israeli side and there are clear signs that they ignore some cases and names, and it is clear that it is not an administrative error, but security considerations, and therefore, "the advantage of Serry mechanism is subject to security examination for individuals who meet the criteria.
 11. The reconstruction mechanism of Gaza does not contain any provisions that guarantee the needs of the Palestinians in the Gaza Strip, and it gives the occupying state a great control to restrict Palestinian rights, and involving the United Nations and the Palestinian Authority in applying the blockade.
 12. The temporary nature of the mechanism for the reconstruction of Gaza is inconsistent with the guiding principles of the United Nations for humanitarian assistance in 1991 and which states that emergency assistance must be provided in ways that allow for the revitalization of the long-term development.

B; Indicators and facts:

13. the entry of construction materials: construction materials are subject to supervision that supervise each cement sack since the moment it is entered o Gaza until its receipt by the injured, and inspection later used in accordance with the Serry mechanism, What was allowed to enter by the Israeli side was not enough, especially by the continuous decisions taking and applying by the state's occupation to discontinue the supply of cement to the Gaza Strip.
14. donor pledges: The lack of funding and the slowing of the donor countries in the implementation of its stated commitments during the Cairo Conference in 2014 has become a major problem preventing reconstruction and rebuilding what was destroyed during the recent Israeli aggression, especially rebuild the partially or fully demolished houses. the donor in the conference held in Cairo pledged to pay 5.086 billion dollars, including 3.5 billion allocated for the reconstruction of the Gaza Strip, specialists confirm that what has been spent actually until the beginning of March 2016 is estimated at 28% / 1.361 billion dollars of the total pledges of which \$ 261 million was allocated for reconstruction in different

sectors including housing, shelter, roads, health, education, infrastructure, electricity, water, and 494 million by the UNRWA and 221 million as humanitarian aid and 252 million to support the authority budget and 88 million to support the different needs to providing fuel.

15. The Mechanism has so far failed: The proposed control mechanism by the United Nations proved its failure, as it contributes to the legislation of the siege, they would prolong the reconstruction of the Gaza Strip and slow applying the process of reconstruction, it will make the Israeli occupation authorities the only controller in the process , which may lead to the failure to deal with the reconstruction as a right of the Palestinian people, and wasting the rights of the Palestinians in compensation from the party that caused death and destruction, and holds the international community, not Israel, as an occupying power, to pay for compensation and reconstruction, this mechanism would not be fair.

Third; the buffer zone on land and sea

A; The buffer zone on land

16. A buffer zone inside the Gaza Strip along the northern and eastern borders, it is a large area of the best agricultural land in the Gaza Strip, it is estimated at 30% of the total area of agricultural land in the Gaza Strip. The agricultural land in the buffer zone is the most important agricultural land in the Gaza Strip, it is about 27 thousand acres, mostly planted with crops and agricultural products were exported abroad or shopping within the sector
17. the area contains the largest reservoir of groundwater which is for drinking and for use in the agricultural sector, and as a result of the establishment of the buffer zone, the obstacles has increased in the face of farmers to preventing them from access to their land or transport their products. The extent to prevent access to these buffer zones, which include agricultural land, water wells affect the farmer's ability to cultivate various crops destined for export, which is grown in agricultural land located within the buffer zone of agriculture exports in the Gaza Strip, this means losing for the agriculture sector of one of the key elements for the success of agriculture which represents one of the Palestinian national income sources. As a result, thousands of farmers and workers were deprived from carrying out their work on their farms within the isolated areas, They have been frustrated by the loss of desire to work for their multiple attempts to replant

- the land and the repeated violations by the Israeli side that caused them different physical damage.
- 18.The area is characterized by its abundant products from livestock especially poultry and sheds of sheep and cattle, as there are in the area, dozens of farms, and most of them have been partially or fully demolished by the repeated Israeli aggressions
 - 19.the Israeli Land leveling policy have resulted in additional damage and loss of material damage experienced by those farmers, such as the destruction of the guard rooms, fences and windbreaks, and mobilization of crops, in addition to destruction of a number of farmers Property/ houses and agricultural lands and farms of birds, sheep and cows.

B; Buffer zones on sea:

- 20.IOF have continued to impose a naval blockade on the Gaza Strip, and reduce the permitted hunting distance for fishermen, which only ranges from 03 to 06 nautical miles (currently 09 nautical miles) what contribute to impose an obstacle prevent fishermen to reach the places where the fish abound.
- 21.It is noteworthy that the distance that allowed fishermen to work before the outbreak of the Al-Aqsa Intifada in September 2000, according to the Oslo agreement, was 20 miles then it gradually shrunk to reach 10 miles in 2005 . And in the wake of the Hamas takeover of the Gaza Strip (June 2007) the permitted distance shrunk to reach only 3 miles
- 22.in the sector of fishing in the Gaza Strip, there are about 8,200 fishermen and workers, care for nearly 50,000 persons in the Gaza Strip. 3,700 fishermen of them are distributed in all provinces as follows: 200 fishermen in the northern Gaza Strip, 1900 fishermen in Gaza province , 500 fishermen in the central province, 700 fishermen in Khan Yunis and 400 fishermen in Rafah.
- 23.There are various forms of Israeli violations against fishermen and their property in the sea of the Gaza Strip including the excessive use of force, which led to the killing of many of them and wounding others, the confiscation and destruction of boats and fishing gear.
- 24.summary of what has been presented, it is clear to us that these Israeli actions are intentional and systematic practices to obstruct the work of the fishermen sector, these practices have affected nearly 50,000 thousand of fishermen and their families, as they are suffering of economic strain because of the loss of their

only source of income , fisherman become below the poverty line, as nearly 80% of them are semi-unemployed

25. buffer Zone on land and sea in Gaza are considered to have a serious political dimensions in terms of re-demarcation of the border (buffer zones) from one side, which was illegally initiated by the Israeli occupation in defining spaces and distances within the territory the Gaza Strip under the pretext of maintaining security
26. Al Dameer monitored dozens of violations cases against Palestinian fishermen, including what happened on April 24, 2016, where the Israeli military boats opened fire, towards Palestinian fishermen boats that existed in the western region of Beit Lahiya in the northern Gaza Strip, and arrested the fishermen, Ibrahim Sultan (23), and Anas Sherif Mohamed Sultan (19), while they were on board the boat, and seized the boat and fishing nets

Fourth; the suffering of patients at Beit Hanoun crossing, and IOF's blocking the right to appropriate treatment and the right to travel

27. Statistics show that since the beginning of this year, there was arrest and detention cases of 08 Palestinians, including (03) patients (01) companions, IOF gave them permit to move through the Beit Hanoun crossing, but were arrested while passing under flimsy justifications. Statistics also show that last year, 2015 attest the arrest of 44 civilians, including patients and their companions.
28. The Israeli occupation authorities continue to extort and arrest patients and hinder their access to hospitals, which lead to the deterioration of their health conditions, On Monday, April 18, 2016, IOF at Beit Hanoun crossing (Erez) arrested the wounded; Mahmoud S. Abu Foul, 19, from Jabalya refugee camp in the northern Gaza Strip, while he was on his way to security meeting based on request of the Israeli security forces to view his request to get a permission to travel to Al Najah hospital in Nablus for treatment purposes.
29. This issue is not new, for the past 09 years, Israeli occupation committed this violation against the right of Palestinian patients and their companions, taking advantage of their need to receive the appropriate treatment in light of the weak medical capabilities in the Gaza Strip, based on the fact that about 70 medical condition a day, as well as emergency cases , are in need to get a treatment abroad, most of these cases are transferred to the Palestinian hospitals in the West Bank and another to Israeli hospitals, and this is what proving the weakness

of the capacity of the health sector in the Gaza Strip, especially in light of the continued Israeli blockade almost six years ago.

30. Besides arresting patients or their companions and extorting them, or delay obtaining their permits, the occupation state put conditions that must be met by the patient companion, which form a major obstacle to get these patients the right to appropriate treatment.
31. the occupation state continues using the policy of extorting the Palestinian patients and exploiting their suffering of diseases, the occupation forces shift whereby the crossing to a way to arrest them without regard to their health status, what constitute a violation of their internationally recognized rights.

Fifth; The suffering of the families of detainees in the Gaza Strip international A; legal framework for the right of detainees to receive their visitors

32. Standard Minimum Rules for the Treatment of detainees approved by the Economic and Social Council by its resolutions 663 C (XXIV) of 31 July 1957 : under the title "Contact with the outside world" and across articles 37, 38 and 39: article 37 stipulated that detainees shall be allowed under necessary supervision to communicate with their family and reputable friends at regular intervals, both by correspondence and by receiving visits.
33. Convention (IV) is relative to the Protection of Civilian Persons in Time of War. Geneva, 12 August 1949.: This Convention, which focused on the theme of civilians Persons who are detained by the Occupying Power, has devoted paragraph IV, entitled "Regulations of the treatment of detainees" to address all the issues that relate to matters of arrest civilians, paragraph VIII identified that detainee's relations with the outside world, the paragraph came to be clear on the right of detainees to receive visitors and to meet with their family, Article 116 stipulates that every detainee has the right to receive visitors "at regular intervals and as frequently as possible. [...] As far as is possible, internees shall be permitted to visit their homes in urgent cases, particularly in cases of death or serious illness of relatives."
34. First Protocol Additional to the Geneva Conventions of August 12, 1949 and it is also relating to the Protection of Victims of International Armed Conflicts.

B; Facts:

35. The Israeli policy by deprive the detainee of right to receive visitors is increasing the violations committed against the Palestinian detainees
36. The method of preventing the detainee from receiving visitors has a great influence on the prison on one hand, and on his family and relatives on the other hand, especially if the family of the detainee are from the Gaza Strip
37. Israeli policy against the detainees and their families from the Gaza Strip, is represented by the following:
 - Deprive the detainee of right to receive visitors
 - Collective punishment for a number of detainees by depriving them from visit for a long time
 - Restricting the hands and legs of the detainee during the visit
 - The IPS management's act in hurting mothers, wives and daughters of the detainees, and that by insisting on physical inspection
 - The period of the visit trip is almost 18 hours, where the elderly and children suffer a lot during the departure and return process to visit the detainees in jails, for the complex procedures that delay the arrival of the families to jail
 - Children are deprived of their right of tenderness of their fathers by Insulating glass, where it is a new step in the Israeli Prison Service management by establishing insulating glass instead of the windows, this glass prevents physical meeting between the detainee and their children
 - Monitoring and disrupt detainees telephone which they use while taking with their visitors, which constitutes a violation of the right to privacy
 - Allow family to visit the detainee and upon arrival at the jail, telling them that the prisoner is not in the prison
 - Prevent giving clothes for detainees during the visit, especially in winter

C; Testimonies of families of Palestinian prisoners:

38. The mother of Palestinian prisoner, Rami S. Anbar, 36, who was detained by IOF since he was 14 years old on May 30, 2002, and who was sentenced for 18 years, give a testimony of what she experienced while visiting her son Rami at the jail, she says:
 - Visit dates: I used to visit my son almost every 15 days, and now we visit him once every two months, knowing that I was prevented to visit him for two years (2003-2005) without reasons, along with not being allowed to visit him (as all the families of Palestinian prisoners from Gaza Strip) for a period of 07 years,

starting from 2007 up to 2014, in the wake of the absence of Israeli soldier (Gilad Shalit) in Gaza.

- The Visit: I Call it a torment trip, it starts from leaving my house at 04 am and return to him at 08:00 pm, I experience an unprecedented suffering at Beit Hanoun crossing (Erez) through rigorous inspection that they sometimes stripping us of our clothes and entering us in a device sends radiation which is harmful to humans, especially harmful to the sick, and we pass again through this suffering at the jail before visiting the prisoner
- Harassment during the visit: between me and my son is an insulating glass separates us, I contact with him via phone, sometimes it doesn't work, so I can't hear him.
- Who are allowed to visit: the mother of the prisoner confirms that all the family members of the brothers and sisters are prevented from visiting, only children who are below 16 years and the elderly father and mother can visit the prisoner.
- prevent giving clothes for detainees, it wasn't allowed for the families to give clothes for the prisoners for nine years even in the winter season, and also blankets of all kinds were not allowed to be entered to the jail, I wasn't able to give my son a blanket for 10 years, where they sell very expensive blankets from inside the prison.

39. Mrs. Widad M. Yasin, the mother of Palestinian prisoner: Mr. Majdi R. Yassin, (29) who was detained by IOF for 11 years in Rimon prison on 05 April 2007 and was sentenced for 18 years, she give testimony of what she experienced while visiting her son Rami at the jail, and it is the same as the previous testimony with all the details, she added :

40. "For many times, we get to the jail, but we were unable to visit the prisoners because of a sudden Israeli decision to cancel the visits without explanation."

Sixth; General recommendations:

41- Al Dameer Association for Human Rights could estimate the bad situation of human rights and humanitarian situation in the Gaza Strip, but we are afraid that the worst is yet to come. In order to put an end to violations of human rights and international humanitarian law, Al Dameer calls upon the following:

- A need for intervention by the international community to put pressure on the occupation State to apply the Fourth Geneva Convention in the Gaza Strip, and

take responsibility for it, and stop the violations and crimes committed against these civilians and their property.

- Al Dameer assures the roles and responsibilities should be taken by the international community: the rule of law must be at the forefront of international relations. All countries must reconsider its relations with Israel, as there is no normal relations with a state committed and continues to commit violations against international human rights and humanitarian law, including crimes against humanity. All states have a duty to exert real pressure on Israel to ensure compliance with international law.
- The international community (countries and organizations) calls on the need for real action to lift the illegal blockade imposed on the Gaza Strip and the reconstruction process must began and must reconsider of the mechanism of the current reconstruction process.
- The international community calls upon the need for urgent intervention to provide international protection for Palestinian civilians in the oPt and in accordance with the provisions and principles of the international human rights conventions and international humanitarian law.